

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JAMES WOLFBAUER, an individual,

Plaintiff,

vs.

OCWEN LOAN SERVICING, LLC, a
Delaware Limited Liability Company,

Defendant.

8:18-CV-13

ORDER

This matter is before the Court on its own motion. Currently pending before the Court is the defendant's motion to dismiss, filed April 30, 2018 ([filing 19](#)). The plaintiff's response to that motion was due on May 24, 2018. *See* [NECivR 7.1\(b\)\(1\)\(B\)](#); *see also* [Fed. R. Civ. P. 6\(d\)](#). The plaintiff has not responded. But it appears that there may be an issue with notice.

The Court's previous attempts to provide the plaintiff with copies of the Court's orders at his North Platte mailing address were returned as undeliverable, and the plaintiff asked the Court to send those orders to an address in Blaine, Minnesota. *See* [filing 18](#). It is the Court's understanding that it has been necessary for the plaintiff to travel to Minnesota for medical treatment. So, it is possible that the plaintiff failed to respond to the defendant's motion to dismiss because he didn't receive notice of it.

In order to be sure that the plaintiff has an appropriate opportunity to respond to the motion to dismiss, the Court will direct the Clerk of the Court to send a copy of the motion to dismiss and supporting brief to the Minnesota address where the plaintiff has received mail, and will afford him sufficient time to respond. But the plaintiff is advised that the Court is doing so as a courtesy, and that it is *his* responsibility to provide the Court and opposing

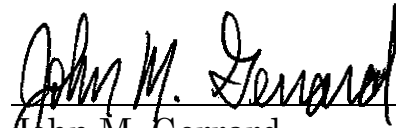
counsel with notice of an address where he can receive mail, or to have his mail forwarded, or to otherwise make arrangements to stay informed about the proceedings in this case.

IT IS ORDERED:

1. The Clerk of the Court shall send a copy of this order, the defendant's motion to dismiss ([filing 19](#)), and the defendant's supporting brief and exhibits ([filing 20](#) and [filing 20-1](#)) to the plaintiff at the Blaine, Minnesota address he has provided.
2. The plaintiff's response to the defendant's motion to dismiss **shall be received by the Court on or before June 25, 2018.**
3. The defendant may reply in support of its motion on or before July 2, 2018.
4. The motion to dismiss will be submitted as of July 3, 2018.

Dated this 30th day of May, 2018.

BY THE COURT:



John M. Gerrard
United States District Judge